

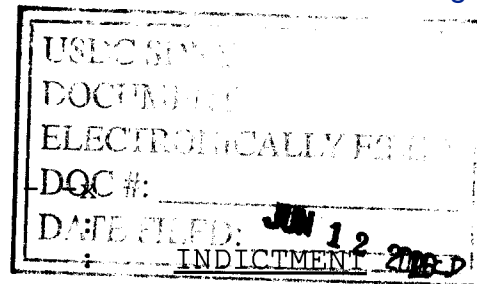
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

XIAN BAO LIN,

Defendants.



06 Cr.

06CRIM. 489

COUNT ONE

The Grand Jury charges:

1. From at least in or about May 2004, up through and including in or about the summer 2005, in the Southern District of New York and elsewhere, XIAN BAO LIN, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that XIAN BAO LIN, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, at least 1,000 pills containing methylenedioxy-methamphetamine ("MDMA"), commonly known as "Ecstasy," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).

Overt Acts

3. In furtherance of the conspiracy and to effect the

JUDGE PATTERSON

illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about June 23, 2004, XIAO BAO LIN, the defendant, negotiated the sale of Ecstasy over the telephone with a confidential informant working under the direction of law enforcement agents (the "CI").

b. On or about June 24, 2004, in New York, New York, a co-conspirator not named as a defendant herein ("CC-1") delivered approximately 1,000 pills of Ecstasy to the CI.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. From at least in or about May 2004, up through and including in or about the summer 2005, in the Southern District of New York and elsewhere, XIAN BAO LIN, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, at least 1,000 pills containing methylenedioxy-methamphetamine ("MDMA"), commonly known as "Ecstasy."

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C), and Title 18, United States Code, Section 2.)

COUNT THREE

The Grand Jury further charges:

5. From at least in or about November 2004, up through and including in or about April 2005, in the Southern District of New York and elsewhere, XIAN BAO LIN, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 8, United States Code, Section 1324(a)(2)(B)(ii).

6. It was a part and an object of the conspiracy that XIAN BAO LIN, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, and in reckless disregard of the fact that an alien had not received prior official authorization to come to, enter, and reside in the United States, would and did bring to and attempt to bring to the United States, for the purpose of commercial advantage and private financial gain, such alien, in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii).

Overt Acts

7. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about December 2004, XIAN BAO LIN, the defendant, discussed the smuggling of an alien into the United States over the telephone with the CI.

b. In or about December 2004, in New York, New York, CC-1 delivered documents relating to an alien smugglee to the CI.

c. On or about April 21, 2005, in Queens, New York, another co-conspirator not named as a defendant herein ("CC-2") picked up an alien smugglee in New York, New York.

(Title 18, United States Code, Section 371.)

COUNT FOUR

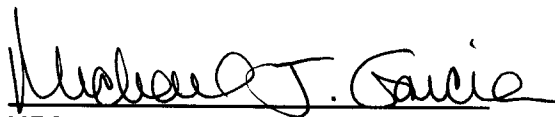
The Grand Jury further charges:

8. From at least in or about November 2004, up through and including in or about April 21, 2005, in the Southern District of New York and elsewhere, XIAO BAO LIN, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, and in reckless disregard of the fact that an alien had not received prior official authorization to come to, enter, and reside in the United States, did bring to and attempt to bring to the United States, for the purpose of commercial advantage and private financial gain, such alien, to wit, LIN and

his accomplices smuggled an illegal alien into the United States for money.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

XIAN BAO LIN,

Defendant.

INDICTMENT

06 Cr.

(21 U.S.C. §§ 812, 841(a)(1),
841(b)(1)(C), & 846, 8 U.S.C. §
1324(a)(2)(B)(ii), and 18 U.S.C. §§ 371 &
2.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Bryce Bradley Foreperson.

Post
11/87

RC
6/12/06

Indictment filed, arrest warrant
issued. F. Maas, USMS